



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4172/1
EVM:emw&amn

2015 ASSEMBLY BILL 756

January 20, 2016 - Introduced by Representatives TITTL, ALLEN, BARNES, HINTZ, JARCHOW, KAHL, A. OTT, ROHRKASTE, SINICKI, STEFFEN, VORPAGEL and ZEPNICK, cosponsored by Senators LEMAHIEU, HARRIS DODD, GUDEX, C. LARSON, LASSA, LAZICH, STROEBEL and TIFFANY. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 341.14 (6r) (b) 1., 341.14 (6r) (c), 341.14 (6r) (e) and 341.14 (6r)
2 (fm) 7.; and *to create* 20.395 (5) (eL), 25.40 (1) (a) 32., 341.14 (6r) (b) 1m. c.,
3 341.14 (6r) (b) 17., 341.14 (6r) (f) 65. and 341.14 (11) of the statutes; **relating**
4 **to:** special registration plates associated with certain professional basketball
5 teams and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill allows persons who are interested in supporting the Milwaukee Bucks to obtain special motor vehicle registration plates.

Under current law, a group or organization that meets certain criteria may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special plates expressing support for certain professional basketball teams. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the special plates and to annually include a voluntary payment of \$25. Eighty percent of the voluntary payment is deposited in the general fund until the state is

ASSEMBLY BILL 756

fully reimbursed for its contributions to a professional basketball arena, and all other amounts are paid to the Milwaukee Bucks Foundation. The bill requires the special plates to display a logo or symbol associated with the professional basketball team and that the plates' design be approved by the president of the Milwaukee Bucks. DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with the team on these special plates and until DOT receives a contribution from any interested person or group in the amount of the initial costs of production of these special plates or \$23,700, whichever is less.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.395 (5) (eL) of the statutes is created to read:

20.395 (5) (eL) *Basketball plate payments to the Milwaukee Bucks Foundation.*

From the general fund, all moneys received under s. 341.14 (6r) (b) 17. b. for payments to the Milwaukee Bucks Foundation.

SECTION 2. 25.40 (1) (a) 32. of the statutes is created to read:

25.40 (1) (a) 32. Moneys received under s. 341.14 (6r) (b) 17. that are deposited into the general fund.

SECTION 3. 341.14 (6r) (b) 1. of the statutes is amended to read:

341.14 (6r) (b) 1. Subject to subd. 1m., upon application to register an automobile or motor home, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight of not more than 12,000 pounds, by any person who is a resident of this state and a member of an authorized special group, the department shall issue to the person special plates whose colors and design shall indicate that the vehicle is owned by a person who is a member of the applicable special group. The department may not issue any special group plates under par. (f)

ASSEMBLY BILL 756

55., 60., or 61r. until 6 months after the department has received information sufficient for the department to determine that any approvals required for use of any logo, trademark, trade name or other commercial symbol designating the professional football team or professional baseball team or associated with Harley-Davidson, Inc., have been obtained. Subject to subs. (9) (d) ~~and~~, (10) (d), and (11) (d), the department may not issue any special group plates under par. (f) 61m. ~~or~~, 63., or 65. until the department has received information sufficient for the department to determine that any license or other approval required for use of any logo, trademark or service mark, trade name or other commercial symbol to be used on or in association with these plates has been obtained. Notwithstanding s. 341.12 (2), if the department of corrections does not have flat-plate technology available for use in manufacturing license plates at quality and cost comparable to that available from the state of Minnesota, the department of transportation may not issue any special group plates under par. (f) 59. unless the department of transportation purchases the plates from the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765, 16.77, and 16.82 do not apply to purchases of plates issued under par. (f) 59. from the state of Minnesota.

SECTION 4. 341.14 (6r) (b) 1m. c. of the statutes is created to read:

341.14 **(6r)** (b) 1m. c. Upon receipt of a contribution totaling an amount equal to the department's final estimate of the initial costs of production of the special group plates under par. (f) 65. or \$23,700, whichever is less, from any person or group interested in the special group plates under par. (f) 65., the department shall commence any development work necessary to implement the provisions of par. (f) 65. and related provisions under this subsection and shall complete the development work within one year of its commencement. As soon as possible, the department

ASSEMBLY BILL 756**SECTION 4**

1 shall post notice on the department's Internet site of its final estimate of the initial
2 costs of production of the special group plates under par. (f) 65. The development
3 work under this subd. 1m. c. shall be funded only from the appropriation under s.
4 20.395 (4) (ch) from the contribution received by the department for purposes of this
5 subd. 1m. c. No contribution received by the department under this subd. 1m. c. may
6 be applied to any fee established under subd. 2. The department may not issue any
7 special group plates under par. (f) 65. until the department has completed the
8 development work specified in this subd. 1m. c.

9 **SECTION 5.** 341.14 (6r) (b) 17. of the statutes is created to read:

10 341.14 **(6r)** (b) 17. A voluntary payment of \$25 that is in addition to the fee
11 under subd. 2. shall be collected in connection with the issuance or renewal of a plate
12 issued on an annual basis for the special group specified under par. (f) 65. A
13 voluntary payment of \$50 that is in addition to the fee under subd. 2. shall be
14 collected in connection with the issuance or renewal of a plate issued on a biennial
15 basis for the special group specified under par. (f) 65. if the plate is issued or renewed
16 during the first year of the biennial registration period or \$25 for the issuance or
17 renewal if the plate is issued or renewed during the 2nd year of the biennial
18 registration period. No plate may be issued for the special group specified under par.
19 (f) 65. unless the voluntary payment under this subdivision is collected. All moneys
20 received under this subdivision shall be deposited and credited as follows:

21 a. Until \$80,000,000 has been deposited into the general fund under this subd.
22 17. a. or until the secretary of administration has certified that the state has been
23 fully reimbursed, from any source, for its contributions related to the construction
24 of the sports and entertainment arena under 229.44, 80 percent shall be deposited

ASSEMBLY BILL 756

1 into the general fund for the purpose of reimbursing the state for its contributions
2 related to the construction of the sports and entertainment arena.

3 b. The remainder after depositing moneys as provided in subd. 17. a. shall be
4 deposited into the general fund and credited to the appropriation account under s.
5 20.395 (5) (eL). The department of transportation shall identify and record the
6 percentage of moneys that are attributable to each professional basketball team
7 represented by a plate under par. (f) 65.

8 **SECTION 6.** 341.14 (6r) (c) of the statutes is amended to read:

9 341.14 **(6r)** (c) Special group plates shall display the word “Wisconsin”, the
10 name of the applicable authorized special group, a symbol representing the special
11 group, not exceeding one position, and identifying letters or numbers or both, not
12 exceeding 6 positions and not less than one position. Except as provided in this
13 paragraph, the department shall specify the design for special group plates, but the
14 department shall consult the president of the University of Wisconsin System before
15 specifying the word or symbol used to identify the special groups under par. (f) 35.
16 to 47., the secretary of natural resources before specifying the word or symbol used
17 to identify the special groups under par. (f) 50. and 59., the chief executive officer of
18 the professional football team and an authorized representative of the league of
19 professional football teams described in s. 229.823 to which that team belongs before
20 specifying the design for the applicable special group plate under par. (f) 55., the chief
21 trademark officer of Harley-Davidson Michigan, LLC before specifying the design
22 for the applicable special group plate under par. (f) 61r., the department of veterans
23 affairs before specifying the design for the special group plates under par. (f) 49d.,
24 49h., and 49s., and the department of tourism and chief executive officer of the
25 organization specified in par. (f) 55m. before specifying the design and word or

ASSEMBLY BILL 756**SECTION 6**

1 symbol used to identify the special group name for special group plates under par.
2 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to
3 regular registration plates in color and design. Special group plates issued under
4 par. (f) 62. shall display the words "In God We Trust". The department shall make
5 available 2 designs for the special group plates under par. (f) 60. The department
6 may not specify any design for the special group plates under par. (f) 60. unless the
7 design is approved by the executive vice president of the Milwaukee Brewers
8 Baseball Club LP. The department may not specify any design for the special group
9 plates under par. (f) 65. unless the design is approved by the president of the
10 Milwaukee Bucks. The word or symbol used to identify the special group under par.
11 (f) 59. shall be different from the word or symbol used to identify the special group
12 under par. (f) 50. and the design shall cover the entire plate. Special group plates
13 under par. (f) 61m. shall display a logo or image of the lion associated with the Lions
14 Clubs International. Special group plates under par. (f) 61r. shall display a bar and
15 shield logo associated with Harley-Davidson, Inc., on the left portion of the plates
16 and the words "share the road" on the bottom portion of the plates. Special group
17 plates under par. (f) 63. shall display the words "Trout Unlimited." Notwithstanding
18 par. (e), special group plates under par. (f) 33m. and 48m. shall be the same color and
19 design that was specified by the department for special group plates under par. (f)
20 33. and 48., respectively, immediately prior to January 1, 2007. The design for
21 special group plates under par. (f) 33. and 48. shall be different from the design of
22 special group plates under par. (f) 33m. and 48m., respectively.

23 **SECTION 7.** 341.14 (6r) (e) of the statutes is amended to read:

24 341.14 **(6r)** (e) The department shall specify one combination of colors for
25 special group plates for groups or organizations which are not military in nature and

ASSEMBLY BILL 756

1 not special group plates under par. (f) 35. to 47., 50., and 59., for each professional
2 football team under par. (f) 55., and for each professional baseball team under par.
3 (f) 60., and for each professional basketball team under par. (f) 65. The department
4 shall specify one combination of colors for special group plates under par. (f) 35. to
5 47. Subject to par. (c), the department shall specify the word or words comprising the
6 special group name and the symbol to be displayed upon special group plates for a
7 group or organization which is not military in nature after consultation with the
8 chief executive officer in this state of the group or organization. The department
9 shall require that the word or words and symbol for a university specified under par.
10 (f) 35. to 47. be a registration decal or tag and affixed to the special group plate and
11 be of the colors for a university specified under par. (f) 35. to 47. that the president
12 of the University of Wisconsin System specifies. The department shall consult the
13 chief trademark officer of Harley-Davidson Michigan, LLC before specifying the
14 colors for the special group plate under par. (f) 61r.

15 **SECTION 8.** 341.14 (6r) (f) 65. of the statutes is created to read:

16 341.14 **(6r)** (f) 65. Persons interested in expressing support for a professional
17 basketball team that has entered into, or whose affiliate has entered into, a
18 development agreement with a local exposition district under s. 229.461.

19 **SECTION 9.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

20 341.14 **(6r)** (fm) 7. After October 1, 1998, additional authorized special groups
21 may only be special groups designated by the department under this paragraph. The
22 authorized special groups enumerated in par. (f) shall be limited solely to those
23 special groups specified under par. (f) on October 1, 1998. This subdivision does not
24 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,

ASSEMBLY BILL 756**SECTION 9**

1 15m., 15n., 15o., 15p., 15q., 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57.,
2 58., 59., 60., 61., 61m., 61r., and 62. and, 63. and, 64., and 65.

3 **SECTION 10.** 341.14 (11) of the statutes is created to read:

4 341.14 (11) (a) Subject to par. (c), from the appropriation under s. 20.395 (5)
5 (eL), the department shall make payments to the Milwaukee Bucks Foundation, if
6 the department issues special group plates under sub. (6r) (f) 65.

7 (b) For each year in which the department makes payments under par. (a), the
8 Milwaukee Bucks Foundation shall submit to the presiding officer of each house of
9 the legislature an audited financial statement of its use of the payments under this
10 subsection, prepared in accordance with generally accepted accounting principles.

11 (c) The department may make payments to the Milwaukee Bucks Foundation
12 under this subsection only if the Milwaukee Bucks Foundation is eligible for the
13 exemption from taxation under section 501 (a) of the Internal Revenue Code. The
14 department shall discontinue payments to the Milwaukee Bucks Foundation under
15 this subsection if the Milwaukee Bucks Foundation dissolves, becomes insolvent,
16 files a petition for bankruptcy, or is no longer exempt from taxation under section 501
17 (a) of the Internal Revenue Code.

18 (d) 1. If the special group plates under sub. (6r) (f) 65. will display any logo,
19 trademark or service mark, trade name, or other commercial symbol associated with
20 the Milwaukee Bucks, the department may not issue any plates under sub. (6r) (f)
21 65. unless the approval specified in sub. (6r) (b) 1. for these plates provides for all of
22 the following:

23 a. That the approval is irrevocable with respect to all plates issued for vehicles
24 after the plates are issued for these vehicles.

SECTION 10

b. That, if the approval is withdrawn, the department may continue to renew the registration of vehicles previously issued plates under sub. (6r) (f) 65., without replacing those plates, but the department shall discontinue collecting the voluntary payment specified in sub. (6r) (b) 17. with respect to these renewals.

2. Notwithstanding sub. (6r) (b) 1. and (f) (intro.), if the approval specified in sub. (6r) (b) 1. for plates issued under sub. (6r) (f) 65. is withdrawn, the department shall discontinue issuing plates under sub. (6r) (f) 65. unless additional approval, as specified in this paragraph and sub. (6r) (b) 1., is obtained by the department.

(END)